

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NICHOLAS HOLMES,

Plaintiff,

v.

CAPITAL ONE FINANCIAL
CORPORATION,

Defendant.

Case No. 15-12228

Honorable Nancy G. Edmunds

**ORDER AND OPINION ACCEPTING THE MAGISTRATE JUDGE'S AUGUST 15,
2016 REPORT AND RECOMMENDATION [23]**

Currently before the Court is the magistrate judge's August 15, 2016 report and recommendation. The Court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 09-10933, 2012 WL 3639070, at *1 (E.D.Mich. Aug. 24, 2012) (citation omitted). The Court nevertheless agrees with the magistrate judge's recommendation. The Court therefore ACCEPTS and ADOPTS the magistrate judge's report and recommendation.

It is further ordered that Plaintiff's Complaint is hereby DISMISSED with prejudice.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: September 7, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 7, 2016, by electronic and/or ordinary mail.

s/Carol J. Bethel

Case Manager